

# GIBSON DUNN

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May 9, 2018

**VIA ECF**

The Honorable Lewis A. Kaplan  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: *Chevron Corp. v. Donziger, et al.*, Case No. 11 Civ. 0691 (LAK)

Dear Judge Kaplan:

I write pursuant to Your Honor’s instruction at the May 8, 2018 hearing on Chevron’s motion for contempt that the parties must inform the Court whether Chevron’s motion is “moot” with respect to Mr. Donziger’s transfer of his shares of Amazonia, and in response to Mr. Donziger’s letter filed earlier this afternoon. *See* Tr. 26:22–24; Dkt. 1998.

As Your Honor is aware, consistent with Mr. Donziger’s representation at the hearing that he would sign over his shares to Chevron, Tr. 29:15–17, Chevron provided him with two share transfer forms. Following the hearing, Chevron also provided him by electronic mail with an assignment document for any interest he holds in the Ecuadorian judgment, consistent with the directive of Paragraph 1 of the Judgment that he “transfer and forthwith assign to Chevron” any property Donziger has received or will receive “that is traceable to the Judgment or the enforcement of the Judgment.” Dkt. 1875 ¶ 1.

As of this writing, Chevron has not received executed copies of any of these documents, despite Mr. Donziger’s representation in his letter that he had “executed the Share Transfer Form” and “sent the same to Mr. Mastro.” Upon receiving the letter, Chevron immediately notified Mr. Donziger that it had not received any executed agreements and requested that he provide them by electronic means, but he has not responded.

Chevron thus submits that its motion for contempt is ripe for adjudication.

As always, we appreciate the Court’s consideration.

Sincerely,

*/s/ Randy M. Mastro*  
Randy M. Mastro

Cc: All Counsel of Record (via ECF)